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REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1167 (1998) of 14 May 1998 by which the mandate of the United Nations Mission of Observers in Tajikistan (UNMOT) was extended to 15 November 1998. It brings up to date the record of developments in Tajikistan and the activities of UNMOT since my interim report of 13 August 1998 (S/1998/754 and Add.1).

II. MAIN DEVELOPMENTS

2. After several weeks of relative stagnation in the peace process, another crisis erupted when, on 22 September, Otakhon Latifi, a prominent member of the United Tajik Opposition (UTO) and the senior member of the Commission on National Reconciliation (CNR), was shot dead outside his Dushanbe apartment by an unknown gunman. The same day, I issued a statement condemning the murder of Mr. Latifi, who was an active supporter of the peace process. The following day, the Government of Tajikistan issued a statement accusing UTO of violating the General Agreement on the Establishment of Peace and National Accord in Tajikistan and accusing its members of being involved in criminal activities. The UTO leadership firmly refuted those allegations and, on 25 September, suspended activities in both CNR and the Government, conditioning their return on the arrest of Mr. Latifi's assassin and concrete measures by the Government to improve the security of its members.

3. President Emomali Rakhmonov and CNR Chairman Abdullo Nuri met on 26 and 28 September, the second time with other members of the UTO leadership present. Following the second meeting, the two leaders issued a 10-point statement outlining the measures both parties had agreed to take to resolve the crisis and expedite the implementation of the General Agreement. The statement indicated, in particular, that the parties intended to improve the security of UTO representatives in CNR and the Government; to establish a joint government/UTO commission to monitor the investigation of Mr. Latifi's murder; to speed up government reform through the incorporation of UTO representatives; to establish a joint mobile task force to combat crime and ensure discipline in military units; to accelerate the implementation of the first two stages of the military

protocol; to implement the provisions of the amnesty law; to promote peace and reconciliation through the mass media; to hold regular meetings of the President and CNR; to improve logistic support for CNR; and to organize seminars and meetings with the participation of the public and political personalities on the implementation of the General Agreement. On 29 September, UTO resumed its functions in CNR and in the Government.

4. Throughout this crisis, Mr. Ján Kubiš, my Special Representative, and the members of the Contact Group used their best efforts to contain the situation.

5. The Government and UTO have since begun to take the steps mentioned in the joint statement. President Rakhmonov and Mr. Nuri have met regularly. President Rakhmonov has ordered a reverification of the status of implementation of the military protocol. A joint commission has been set up to monitor the Government's investigation into the killing of Mr. Latifi. Security measures for UTO representatives have been bolstered through the assignment of personal security guards and the allocation of additional funds for this purpose. On 1 October, the Government and UTO issued a joint appeal to unaffiliated groups to surrender their weapons and return to civilian life by 7 October. On 11 October, the Government, with the endorsement of UTO, initiated military action against two armed groups in the area east of Dushanbe. A number of fighters belonging to those groups have reportedly been killed; however, the leaders are still at large. This action is ongoing.

6. The repatriation of the last 157 UTO fighters remaining in Afghanistan took place from 23 to 26 September. The convoy was escorted by the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS), in accordance with the military protocol. UNMOT monitored the movement of the convoy from Nizhniy Panj to Dushanbe, but for security reasons did not accompany it to its destination in Tajikabad. UNMOT provided bedding for the fighters as well as a 30-day supply of food.

7. It will be recalled that only limited funds were provided to support the assembly areas for no more than two months, until voluntary contributions became available. UNMOT has now ended its support for the assembly areas, having delivered a total of 355 tons of food and 5,916 bedding items, including mattresses, blankets, pillows and toiletries.

8. The Contact Group of guarantor States and international organizations (Afghanistan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Pakistan, the Russian Federation, Turkmenistan, Uzbekistan, the Organization for Security and Cooperation in Europe and the Organization of the Islamic Conference) continued to provide valuable support to the process. For the time being, the proposed foreign ministers' meeting of the Contact Group has been put on hold.

III. STATUS OF IMPLEMENTATION OF THE GENERAL AGREEMENT

9. The new deadlines adopted by CNR on 30 July (see S/1998/754, para. 15) have lapsed. At the time of reporting, the state of implementation of the substantive provisions of the peace agreement was as described below.

Military issues

10. Stages I and II of the military protocol (registration, collection of weapons and oath-taking) are nearing completion. A reverification of the process is under way. Meanwhile, the Joint Central Review Commission, set up to evaluate the fitness of UTO personnel for continued military service (stage III of the protocol), has commenced its work.

11. On 7 October, the Government and UTO began joint action against unaffiliated armed groups, as foreseen under the military protocol.

12. There has been no movement on the reform of the power structures.

Political issues

13. No progress was made in the implementation of the amnesty law.

14. UTO has submitted its candidates for the Central Electoral Commission. No action has been taken on the revision of the electoral law.

15. On 8 October the Government announced the appointment of Zokir Vazirov to the post of Deputy Prime Minister. With this, the appointment of UTO members to cabinet-level posts in accordance with the 30 per cent quota is all but complete, except for the defence portfolio. On 26 October, President Rakhmonov, in a letter to Mr. Nuri, confirmed the allocation of 19 senior government posts to UTO. There has been no movement on the allocation of posts at the regional level.

16. The ban on political parties that belong to UTO has not yet been lifted, pending the announcement by UTO of the disbandment of its armed forces as foreseen in the military protocol.

Legal issues

17. There has been extensive debate on a range of issues relating to constitutional development and reform, but no clear proposals have so far emerged. The revised law on political parties is to be considered by the Parliament at its next session, scheduled for mid-November.

Return of refugees

18. The return of refugees from Afghanistan was completed. Repatriation from CIS countries has continued with the assistance of the Office of the United Nations High Commissioner for Refugees (UNHCR).

IV. HUMANITARIAN ACTIVITIES

19. The security situation in parts of the country continued to have a negative impact on humanitarian and other assistance, particularly in the Karategin valley, where United Nations activities have remained suspended. The 1998 consolidated appeal for Tajikistan has generated only some 30 per cent of the

total funds requested. My report to the General Assembly on emergency assistance for peace, normalcy and rehabilitation in Tajikistan (A/53/316) highlights the overall situation in the country.

20. On 17 and 18 October, the United Nations Office for Project Services, together with the other United Nations agencies involved in this sector, carried out an assessment of the humanitarian needs in the Karategin valley. There has been some deterioration compared to last year, although it has not been drastic.

21. The rehabilitation, reconstruction and development programme, financed by the United Nations Development Programme and executed by the Office for Project Services, is implementing new subprojects through co-financing arrangements with the United States Agency for International Development, the European Community Humanitarian Office and UNHCR.

22. During visits by high-level delegations of the World Bank and the International Monetary Fund, the Tajik Government and UTO reiterated their commitment to economic reform programmes in the country. The Aga Khan paid an official visit to Tajikistan from 21 to 29 September. The Aga Khan Foundation provides extensive humanitarian assistance to the Tajik population, particularly in the Gorniy-Badakshan region.

V. SECURITY

23. Security in the country continued to be precarious. Crime was prevalent and there were frequent violent incidents. The most serious incident for UNMOT occurred on 17 August, when one of its security officers was found shot dead in his apartment in Dushanbe. The Government has carried out an investigation, and the United Nations has further investigated certain aspects of the case. A United Nations team visited Dushanbe at the end of October to consult with the government investigators.

24. On 18 August, my Special Representative received from the Tajik authorities a warning about the activities of a renegade group operating in Dushanbe with the aim of destabilizing the situation in the country, possibly including hostage-taking. In response to this warning I authorized, as a precautionary measure, the temporary relocation to Tashkent of non-essential internationally recruited staff members of the United Nations system, many of whom were military observers who have since been repatriated to their home countries. The few who remained in Tashkent were recently brought back to Dushanbe.

25. In addition to the murder of Mr. Latifi, there was an increase in the number of politically motivated crimes. On 27 August, the Mayor of Tursunzade was shot and killed along with four others. The Government attributed the killing to forces that wished to destabilize the political and social situation and to disrupt the peace process in the country. Only two weeks earlier, the Chairman of the district of Shakhrinau, located between Tursunzade and Dushanbe, had also been shot and killed.

26. On 12 October, authorities in Khujand detained 38 persons, among them 15 government servicemen, for the abduction of the Deputy Mayor of Khujand and

several others. Among those detained was the Deputy Commander of a unit belonging to the Ministry of Interior.

27. In the evening of 15 October, three explosions took place in Dushanbe, the first one in the courtyard of the CNR building and the following two in residential areas of the city. On 29 October, an explosive device went off in Dushanbe outside the residence of the Chairman of the CNR Military Subcommission. There were no casualties, and no one has claimed responsibility for the acts.

28. Some progress was made in the investigation of the killing of four UNMOT personnel in July. On 1 September, three suspects were handed over by UTO and brought to Dushanbe for further investigation. In the course of the investigation, a UTO field commander in the Komsomolabad area was alleged to have instigated the killing. The Government and UTO are discussing how and where he should be questioned. My Special Representative has emphasized to both Tajik parties the need to complete the investigation expeditiously and to bring to justice those found to be responsible for the crime.

VI. ORGANIZATIONAL MATTERS

29. For reasons of security and pending the completion of the investigation into the murder of UNMOT personnel, the Mission's field activities remained suspended. When it became apparent that this state of affairs might continue for some time, it was decided to temporarily reduce the UNMOT military component by 36 military observers. This was effected in the second half of September.

30. As at October 1998, UNMOT comprised 170 civilian staff, of whom 54 were internationally recruited, and 33 military observers, from Austria (3), Bangladesh (3), Bulgaria (3), Denmark (2), Ghana (2), Indonesia (2), Jordan (3), Nepal (2), Nigeria (2), Poland (3), the Czech Republic (2), Ukraine (3), Switzerland (1) and Uruguay (2). Two civilian police officers from Austria and Poland respectively are included in the total. The Government of Switzerland has decided to withdraw from UNMOT because of security concerns. Its three-member medical team will be replaced by personnel from Bangladesh. Brigadier General Tengku Ariffin bin Mohammed continued as Chief Military Observer.

31. The overall number of military observers was based on the peak requirement during the first two stages of the military protocol. This part of the process is nearing completion. Bearing in mind also the constraints imposed by the security situation, the strength of the military component will be maintained at 30. This matter will be kept under review in order to make further adjustments, depending on developments.

32. UNMOT continued to cooperate closely with the Organization for Security and Cooperation in Europe on matters of constitutional reform and democratization. It maintained close contact with the CIS Collective Peacekeeping Forces regarding the maintenance of the ceasefire and security, and remained in touch with the Russian border forces on matters of mutual concern.

VII. FINANCIAL ASPECTS

33. The General Assembly, in its resolution 52/229 B of 26 June 1998, appropriated the initial amount of $8,015,120 gross for the maintenance of UNMOT for the period from 1 July to 31 October 1998. Additional appropriation for the maintenance of UNMOT beyond 31 October 1998, based on the proposed budget for the period from 1 July 1998 to 30 June 1999 (A/52/772/Add.2), is currently under consideration by the Assembly. Based on the recommendation of the Fifth Committee, the cost of maintaining UNMOT for the 12-month period from 1 July 1998 is estimated at $20 million gross. Therefore, should the Security Council decide to extend the mandate beyond 15 November 1998, the cost of maintaining the Mission would be limited to the amounts indicated above.

34. As at 15 October, unpaid assessed contributions to the special account for UNMOT from the inception of the Mission to 31 October 1998 amounted to $9.2 million, which represents some 22 per cent of the total assessed contributions. The unpaid assessed contributions for all peacekeeping operations amounted to $1.8 billion.

VIII. OBSERVATIONS

35. After a period of relative stagnation, the crisis at the end of September led to renewed movement in the political process. The parties are gradually working their way towards declaring the completion of stages I and II outlined in the protocol on military issues, notwithstanding certain shortcomings, for example those with respect to control over the arms of the UTO fighters. It should be noted that UTO is to announce during stage II the disbandment of its armed units, which would open the door to lifting the ban on the activities of the political parties that make up UTO. There has been some further movement on the appointment of UTO personalities to government positions.

36. In May, the Parliament's decision to amend the bill on political parties so as to exclude the Islamic Revival Party, the largest component of UTO, caused a serious crisis that threatened to undermine the basis of the peace agreement. The crisis was eventually overcome, and it is hoped that the Parliament will consider constructively the revised bill on political parties at its forthcoming session, which is to begin in mid-November, taking into account the formula agreed upon by the Conciliation Commission. The Parliament had based its decision in May on a provision of the Constitution that stipulates that Tajikistan is a secular State. The debate over this provision and its meaning has continued, but there have been indications recently that both sides may be prepared to seek a solution to this issue in a spirit of compromise. This can only be encouraged.

37. That is not to say that there are not formidable difficulties to be resolved on almost all the issues regulated in the peace agreement. Much remains to be done before the holding of elections and the installation of a new national Government, which is to mark the end of the transition period. I am convinced that this process, in order to have its desired outcome, will continue to require active international support, through UNMOT and the Contact Group in

particular. I therefore recommend that the Mission's mandate be extended for another six months, until 15 May 1999.

38. The precarious security situation in Tajikistan has remained a very significant hindrance to the functioning of UNMOT and other United Nations agencies and programmes. While acknowledging the efforts of the authorities to enhance the protection of international personnel, I am deeply concerned that there has not been more progress in establishing all relevant facts concerning the killing of the four members of UNMOT in July. I have asked my Special Representative to continue to urge the authorities and UTO to cooperate effectively in solving the case. So long as the circumstances surrounding this crime, particularly the motive, are not known and until appropriate action is taken, United Nations personnel will need to operate with utmost caution, even if this represents a hindrance in the performance of their duties.

39. In conclusion, I wish to pay tribute to Mr. Kubiš, my Special Representative, and to the men and women serving with UNMOT for the manner in which they have performed their difficult duties and stood up to the dangers they continue to face. I also wish to express my appreciation to the countries contributing personnel to the Mission for their understanding and their support for this difficult assignment.

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